IN RE: PETITION FOR ADMIN. VARIANCE

W/S Mawani Road, 450' NE of the

c/l of Meise Drive (4719 Mawani Road) 14th Election District 6th Councilmanic District

William F. Scheufele, et ux Petitioners * BEFORE THE

* ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 97-198-A

*

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 4719 Mawani Road, located in the vicinity of Dale Avenue in Overlea. The Petition was filed by the owners of the property, William F. and Christine J. Scheufele. The Petitioners seek relief from Sections 1802.3.8 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side property line setback of 1 foot in lieu of the required minimum of 6 feet, and a sum of the side yards of 11 feet in lieu of the required 15 feet for a proposed 14' x 25' carport. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion

of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this And day of December, 1996 that the Petition for Administrative Variance seeking relief from Sections 1B02.3.B and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side property line setback of 1 foot in lieu of the required minimum of 6 feet, and a sum of the side yards of 11 feet in lieu of the required 15 feet for a proposed 14' x 25' carport, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

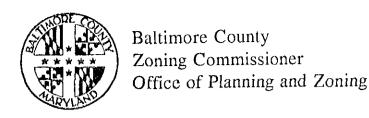
- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The proposed carport shall remain open on the three exposed sides. There shall be no enclosure of any portion of this carport.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs for Ba

Post



Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

December 2, 1996

Mr. & Mrs. William F. Scheufele 4719 Mawani Road Baltimore, Maryland 21206

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Mawani Road, 450' NE of the c/l of Meise Drive
(4719 Mawani Road)
14th Election District - 6th Councilmanic District
William F. Scheufele, et ux - Petitioners
Case No. 97-198-A

Dear Mr. & Mrs. Scheufele:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs

cc: People's Counsel

File



Petition for Administrative Variance

	ssioner of Baltimore County
for the property located at	
C17-198-14	which is presently zoned D.R. 5.5
hereto and made a part hereof, hereby petition for a Variance from S PERMIT A CARPORT WITHIN 1 of T COMBINED SIDE YARDS FOR PA	ion & Development Management. The County and which is described in the description and plat attached section(s) 1802-3.8 \$ 301.18; BCZR TO The PROPERTY Line INSELSE OF THE ANS of 11 fr. in Lieu of the Reguires
6 AND 15' RESPECTIVELY.	, -
of the Zoning Regulations of Baltimore County, to the Zoning Law o practical difficulty)	f Baltimore County; for the following reasons: (indicate hardship or
Unable to build side car port due to	15' side set back regulation, car port
would have a 1' side set back. Car por	t would set on existing driveway and be
in line with the house. ** Property is to be posted and advertised as prescribe I, or we, agree to pay expenses of above Variance advertising, posted bound by the zoning regulations and restrictions of Baltimore Co	sting, etc., upon filing of this petition, and further agree to and are to
	\ I/We do solemnly declare and affirm, under the penalties of penjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
(Type or Print Name)	William F. Scheufele (Type or Prict Name)
Signature	A Schafele fe.
Address	Christine J. Scheufele
City State Zipcode	Signature . Structure
Attorney for Petitioner:	4719 Mawani Road 410-688-6638
(Type or Print Name)	Address Pfrone No.
	Baltimore, MD 21206
Signature	City State Zipcode Name, Address and phone number of representative to be contacted
	χ Η J & R Contractors, Inc.
Address Phone No.	Name P.O. Box 15453 410-391-6811
City State Z.pcode	Address Phone No. Phone No.

Joning Commissioner of Baltimore County

REVIEWED BY: VM DATE: 10-29-96 ESTIMATED POSTING DATE: 11-10-96



efr

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside	e at 4/19 Mawani Ro	oad ————————————————————————————————————	
71.1984	Baltimore	MD	21206
	City	State	Zip Code
That based upon personal knowledge, the forward the above address: (Indicate hardshound build side	ip or practical difficulty)	·	
car port would have a 1'	side set back. C	ar port would	set on existing
driveway and be in line w	ith the house.		
Mit values de la como de la colo del Maria de Maria de la colo dela colo de la colo de la colo de la colo de la colo dela colo dela colo de la colo dela colo de la colo dela c			

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may be required to provide additional information of the second of the s	AL THE STATE OF TH	Resident (signature) (HLTSTIM (type or print name)	Le Lohn E A-SCHEUFE
STATE OF MARYLAND, COUNTY OF B HEREBY CERTIFY, this 15 day	yor Optober	, 19 9 6 , before me	, a Notary Public of the State
of Maryland, in and for the County aforesai WILLIAM F. SHEUF	, , ,,	Hererrole	A. SONGHERIE
the Affiants(s) herein, personally known or that the matters and facts hereinabove set for	satisfactorily identified to me a	is such Affiantt(s), and	made oath in due form of law
AS WITNESS my hand and Notarial Seal.	<u> </u>	Auf DE-	Dent
riate	NOTARY PU My Commiss	ion Expires: NO	womber 1990
date Oct 94	NOTARY PU	Herefold -	<u> </u>

97.198.17

ZONING DESCRIPTION FOR 4719 Mawani Road

Beginning at a point on the west side of Mawani Road which is 25' wide at the distance of 450' north east of the centerline of the nearest improved intersecting street Meise Drive which is 25' wide. Being Lot # 10. Block 4719, Section #1 in subdivision of Dalewood as recorded in Baltimore County Plat Book #21, Folio #78. containing 6500 sq ft. Also known as 4719 Mawani Road and located in the 14th Election District, 6 Councilmanic District.

PHONE NUMBER: (910) 391-681/	ADDRESS: P.O. BOX 15453	NAME: HJER CONTRACTORS INC.	PLEASE FORWARD ADVERTISING BILL TO:	Location: 97/9 MAWANI RD	Item No.: 198 Petitioner: MR. EMRS. SCHEUFE-E	For newspaper advert, ng:
					HEUFE-E	

Printed with Soybean Ink
Off A A

On Recycled Paper

MICROFILMED

CERTIFICATE OPPOSTING

	RE: Case No.: 9/-/78-14
	Petitioner/Developer:
	William Scheufele
	Date of Istering/Closing: Nov. 25 1996
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	•
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
	es of perjury that the necessary sign(s) required by law erty located at 47/9 MAWANI KOAD
The sign(s) were posted on	Nov. 7, 1996
	(Month, Day, Year)
	Sincerely,
ZONING NOTICE ADMINISTRATIVE VARIANCE	(Signature of Sign Poster and Date) Homes P. Og G Sc

97-198.A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 11-10-96

Format for Sign Printing, Black Letters on a White Background:



ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-198-A

PROPERTY LINE AND COMBINED SIDE YARDS OF

11 FT. IN LIEU OF The REQUIRED 6' AND 15'

RESPECTIVELY.

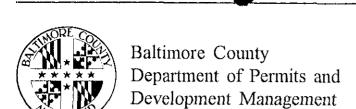
PUBLIC HEARING?

PURSUANT TO SECTION 26-127(b) (1), <u>BALTIMORE COUNTY CODE</u>, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

November 8, 1996

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-198-A (Item 198)
4719 Mawani Road
W/S Mawani Road, 450' NE of c/l Meise Drive
14th Election District - 6th Councilmanic
Legal Owner(s): William F. and Christine J. Scheufele
Post by Date: 11/10/96
Closing Date: 11/25/96

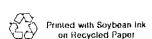
Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

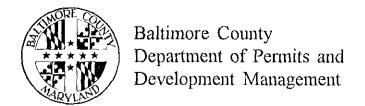
- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON CLOSING DATE. THE PROCESS IS NOT THE COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon Director

cc: William and Christine Scheufele
HJ&R Contractors, Inc.





Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 27, 1996

Mr. and Mrs. William Scheufele 4719 Mawani Road Baltimore, MD 21206

RE: Item No.: 198

Case No.: 97-198-A

Petitioner: W. F. Scheufele, et ux

Dear Mr. and Mrs. Scheufele:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 29, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

W. Cont Richard Yto

W. Carl Richards, Jr.

Zoning Supervisor

WCR/re
Attachment(s)





Maryland Department of Transportation State Highway Administration

David L. Winstead Secretary Parker F. Williams Administrator

OM-198-A

Ms. Roslyn Eubanks Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

Baltimore County 11.8 94

Item No.

198 (SCM)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

f. J. Smiller for Ronald Burns, Chief

Engineering Access Permits

Division

LG

My telephone number is ____

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

A. C. Carlon

BALTIMORE COUNTY, MARYLAND

DATE: November 8, 1996

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director Office of Planning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 196, 198, 199 and 202

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Division Chief:

PK/JL

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

 $\bigcirc \uparrow$ \N\2\8\ \\ \\ INTER-OFFICE CORRESPONDENCE

TO:

PDM

DATE: 11/13/96

FROM:

R. Bruce Seeley

Permits and Development Review

DEPRM

SUBJECT:

Zoning Advisory Committee
Meeting Date: 1001. 12.96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

RBS:sp

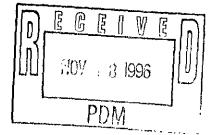
BRUCE2/DEPRM/TXTSBP

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500

97-198-9



Office of the Fire Marshal (410) 887-4880

DATE: 11/14/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF NOV. 12, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 196,197,198,199,200,201, 202 AND 203.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F



BALTIMORE COUNTY, MARYLAN

LATERGFFICE CORRESPONDENCE

Date:

November 19, 1996

mo:

Arnold Jablon, Director

Department of Permits & Development

Management

FROM:

Pobert W. Bowling, Chief Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

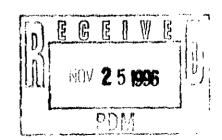
for Movember 18, 1996

Item Nos. 197, 198, 199, 202, &

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File







91198A

#197 --- MJK

- Need signature, printed name, and title of person signing for legal owner.
- No property address on petition form (only street name). 2.

#198 --- JCM

Signature for legal owner says "Jr."; typed name does not - which is correct?

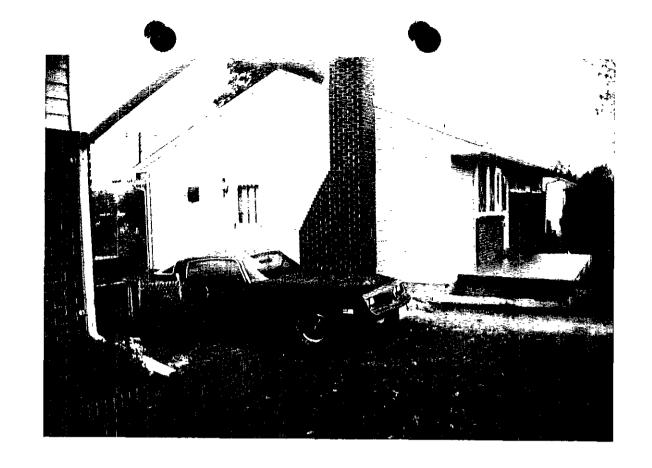
#200 --- MJK

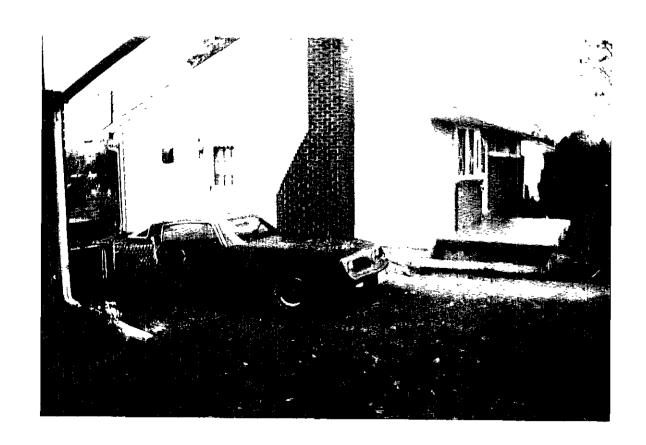
- 1. Need title of person signing for Southland Corporation.
- Need telephone number for Southland Corporation.
- Need title of person signing for contract purchaser. 3.
- Plat says legal owner is Southland Corporation and Robert Gemmill and his wife; petition says Southland Corporation and Robert Germill - which is correct?

#202 --- JRA

Plat says prior zoning hearings, but has no case numbers.

Variance Special Hearing see pages 5 & 6 of the CHECKLIST for additional required information	CATION CATION District: Anic District: A. S. S. S. A. S.	Zoning Office USE ONLY! reviewed by: ITEM #: CASE#: UMA I 9 8
Plat to accompany Petition for Zoning Variance PROPERTY ADDRESS: 4719 MWANT RD See pages 5 & 6 of the CHE Subdivision name: DALE WOOD Plat book* 21, tolio* 78, lot* 10, section* / OWNER: WILLIAM & CHRISTIME SCHEVELE	(LOT 9) ASCHOOL ELMUDOD ELMUDOD SCHOOL SC	te: $10-29-76$ spared by: 900 Scale of Drawing: $1^{-}=50^{-}$





- I. ENFORCEMENT STRATEGY Baltimore County has primary and ultimate responsibility for code enforcement. However, in a time of limited government resources, it has developed a community code enforcement program, in cooperation with the Community Conservation Action Group, to help Baltimore County achieve compliance. This program will:
 - A. Pool the efforts and talents of the government, residential and business communities to elicit continuous compliance with County codes.
 - B. Use community associations to protect and improve the quality of life and investments, both personal and property, of all residents of Baltimore County.
 - C. Address those 80 95% of cases that result in voluntary compliance.

II. PURPOSE OF COMMUNITY CODE ENFORCEMENT PROGRAM

- A. Use community volunteers in program communities to provide education, assistance and documentation of violations to reduce overall number of zoning, community hygiene, building and Livability Code violations.
- B. Provide faster, more effective code enforcement throughout the County at a cost-savings.
- III. ELIGIBILITY CRITERIA FOR PARTICIPANTS IN PROGRAM The program can be used in either residential or commercial areas. The community association must satisfy certain criteria to participate.
 - A. Community association must have:
 - A clearly defined geographical area;
 - A strong association (i.e., a history of being active, meeting regularly, getting support from membership, etc.);
 - A number of clearly visible violations listed in Appendix B;
 - A newsletter/notice (distribution network);
 - 5. The ability to absorb some costs, such as printing of survey notices, printing and distributing association's newsletter and copying of materials provided by the County;



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